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Security Council

Fifty-fifth year

Provisional

4149th meeting

Wednesday, 31 May 2000, 4.30 p.m.

New York

President:	Mr. Wang Yingfan	(China)
Members:	Argentina	Mr. Listre
	Bangladesh	Mr. Chowdhury
	Canada	Mr. Lalani
	France	Mr. Levitte
	Jamaica	Mr. Ward
	Malaysia	Mr. Mohammad Kamal
	Mali	Mr. Ouane
	Namibia	Mr. Andjaba
	Netherlands	Mr. van Walsum
	Russian Federation	Mr. Granovsky
	Tunisia	Mr. Ben Mustapha
	Ukraine	Mr. Kuchynski
	United Kingdom of Great Britain and Northern Ireland	Sir Jeremy Greenstock
	United States of America	Mr. Minton

Agenda

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2000/461)

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00-45594 (E)

The meeting was called to order at 4.30 p.m.

Adoption of the agenda

The agenda was adopted.

The situation concerning Western Sahara

Report of the Secretary-General on the situation concerning Western Sahara (S/2000/461)

The President (spoke in Chinese): The Security Council will now begin its consideration of the item on its agenda.

The Security Council is meeting in accordance with the understanding reached in its prior consultations.

Members of the Council have before them the report of the Secretary-General on the situation concerning Western Sahara, document S/2000/461.

Members of the Council also have before them document S/2000/500, which contains the text of a draft resolution submitted by France, the Russian Federation, the United Kingdom of Great Britain and Northern Ireland and the United States of America.

It is my understanding that the Council is ready to proceed to the vote on the draft resolution before it. Unless I hear any objection, I shall put the draft resolution to the vote.

There being no objection, it is so decided.

I shall first give the floor to those members of the Council who wish to make statements before the voting.

Mr. Andjaba (Namibia): Let me first and foremost thank the Secretary-General, Mr. Kofi Annan, and his Personal Envoy, Mr. Baker, for the work they are doing to resolve the question of Western Sahara.

Nevertheless, the last two reports of the Secretary-General on Western Sahara — S/2000/131 of 17 February 2000 and S/2000/461 of 22 May 2000 — contain some observations with which my delegation does not agree.

My delegation wishes to reiterate that the United Nations settlement plan remains the only viable mechanism by which to achieve a lasting solution to the question of Western Sahara. The United Nations plan will enable the people of Western Sahara to exercise their inalienable rights to self-determination and independence in accordance with General Assembly resolutions 1514 (XV) of 14 December 1960 and 40/50 of 2 December 1985, and with resolution AHG/Res.104 (XIX), adopted by the Assembly of Heads of State or Government of the Organization of African Unity at its nineteenth ordinary session, held at Addis Ababa from 6 to 12 June 1983.

Namibia fully supports the recommendation of the Secretary-General to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) until July 2000, notwithstanding some observations in the Secretary-General's report that have serious political implications and that cause concern to my delegation. My delegation cannot endorse observations which seek to diverge from the implementation of the United Nations settlement plan. It is for that reason that my delegation will not support the draft resolution before us.

Mr. van Walsum (Netherlands): My delegation feels that the draft resolution on which we are about to vote does not adequately reflect the continued commitment to the settlement plan which during the Council's consultations was expressed by a large number of delegations, including my own.

It is true that in the fifth preambular paragraph the Council reiterates its full support for the continued efforts to implement the settlement plan, but the abrupt addition by which it subsequently notes that fundamental differences remain to be resolved produces a somewhat disingenuous overtone which does not do justice to the importance that the Council has claimed to attach to the settlement plan for many years. If we are nevertheless prepared to vote for the draft resolution it is because we do not want to block any avenue the Secretary-General's Personal Envoy may wish to follow in the discharge of his mandate to explore ways and means to achieve an early, durable and agreed resolution to the dispute over Western Sahara.

Mr. Ward (Jamaica): We too wish to thank the Secretary-General for his report and for his efforts, through his Personal Envoy, to bring peace to Western Sahara. Jamaica continues to believe that the settlement plan can be implemented, and that it is important for the referendum to be held as soon as possible. The referendum is what Jamaica believes will provide legitimacy for the process leading to the peaceful resolution of this dispute.

The mandate given to the Personal Envoy of the Secretary-General, Mr. James A. Baker III, in 1997 called for him to assess the implementability of the plan, to examine ways of improving the chances of resuming its implementation in the near future and, if there were none, to advise on other possible ways of moving the peace process forward.

The reports presented so far to the Security Council indicate that there are divergences between the parties. They make it quite clear that the expected referendum will not take place any time soon. However, the reports have not concretely assessed the implementability of the plan. Nor have they been the basis for a determination by the Security Council of whether or not the plan is implementable.

It is against that background that Jamaica believes that the current draft resolution seeking the extension of the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) is not appropriate, because it implies that there are doubts within the Security Council as to the implementability of the settlement plan. Jamaica believes that the draft resolution should be purely technical and that any political provisions should be left for a separate draft resolution after the Council has received a report from the Personal Envoy.

Jamaica believes that the final phrase of paragraph 1 — "and explore all ways and means to achieve an early, durable and agreed resolution to their dispute over Western Sahara" (S/2000/500) — could be interpreted as a clear signal to the parties to the dispute that the settlement plan might indeed be jettisoned without the benefit of full compliance with the mandate given to the Personal Envoy of the Secretary-General. Jamaica welcomes the fact that paragraph 2 requests the Secretary-General to provide an assessment of the situation before the end of the present mandate. That should be the report in which the assessment of implementability is done, which would allow the Security Council to advise on other possible ways of moving the peace process forward should there be agreement that the plan cannot be implemented.

This draft resolution, in suggesting ways and means to move forward, implies a judgement prior to hearing from the Secretary-General's Personal Envoy and before there has been an opportunity to discuss his report. The Security Council, by adopting this draft resolution, will not be following its own mandated procedure.

Jamaica reiterates its full support for the settlement plan and for the extension of the mandate of the United Nations Mission for the Referendum in Western Sahara.

For the foregoing reasons, Jamaica will abstain in the vote on the draft resolution before us.

Mr. Ouane (Mali) (spoke in French): My delegation takes note with satisfaction of the report of the Secretary-General of 22 May 2000, document S/2000/461. That report indicates that implementation of the United Nations settlement plan with a view to holding a referendum on self-determination in Western Sahara has been hampered for the past nine years because of fundamental differences between the parties with respect to the interpretation of some of the main provisions of the plan. There is every reason to believe that the referendum cannot be held within the desired time-frame.

In this connection, I wish to point out that Mali, which has always supported efforts made by our Organization through the United Nations Mission for the Referendum in Western Sahara, remains convinced that the settlement plan is the appropriate framework for the organization and holding of a referendum on self-determination for the people of Western Sahara.

Mali had hoped that the Council would arrive at a text that took the concerns of all parties broadly into account. We therefore regret that the efforts made have not yielded this result. At this stage, I praise your personal efforts, Sir, to arrive at a balanced text. My delegation would have wished the draft resolution on which the Council is about to vote to be a presidential text reflecting the unanimous support of Council members for the efforts of the Personal Envoy of the Secretary-General. In the absence of consensus on the fourth preambular paragraph and operative paragraph 1, my delegation cannot vote in favour of this text. We will not, however, oppose its adoption. Accordingly, my delegation will abstain in the voting.

In conclusion, I wish to reiterate my delegation's full support for the efforts of the Special Envoy of the Secretary-General.

The President (spoke in Chinese): I shall now make a statement in my capacity as the representative of China.

We have taken note of the fact that divergent opinions remain with regard to elements of the draft resolution before us. We had proposed pursuing the process of consultations in order to arrive at a text acceptable to all. The Chinese delegation will vote in favour of the draft resolution because we believe that an extension of the mandate of the United Nations Mission for the Referendum in Western Sahara will help to maintain stability and peace in that region and assist the parties concerned, with the Secretary-General and his Personal Envoy, in finding an appropriate, feasible and lasting solution to existing problems. We hope that, in this process, the views of the parties concerned will be carefully heeded so as to prevent new problems from arising in the region.

I now resume my functions as President of the Security Council.

I shall now put the draft resolution (S/2000/500) to the vote.

A vote was taken by show of hands.

In favour:

Argentina, Bangladesh, Canada, China, France, Malaysia, Netherlands, Russian Federation, Tunisia, Ukraine, United Kingdom of Great Britain and Northern Ireland, United States of America

Against:

Namibia

Abstaining:

Jamaica, Mali

The President (spoke in Chinese): There were 12 votes in favour, 1 against and 2 abstentions. The draft resolution has been adopted as resolution 1301 (2000).

I shall now call on those members of the Council who wish to make statements following the voting.

Mr. Listre (Argentina) (spoke in Spanish): The Argentine Republic voted in favour of the resolution extending the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) to 31 July 2000. However, it profoundly regrets the fact that, despite the efforts that have been made, it was not possible to achieve a consensus text. We feel that we came very close. My delegation, along with others seated around this table, made serious efforts to achieve it. In this regard, I wish to pay particular tribute to you, Mr. President, for your endeavours to achieve this, demonstrating once again the skill and intelligence with which you have conducted our work throughout this month.

Argentina reaffirms its support for the settlement plan. We believe that every effort should be made to find a mutually acceptable arrangement within that plan. In our view, significant progress has been made in its implementation. We are aware of the difficulties involved. At this stage, we feel that the most important aspect relates to the issue of appeals, but we do not believe it to be an insurmountable obstacle.

We therefore call on the Kingdom of Morocco and the Frente POLISARIO to give their broadest cooperation to Mr. James Baker, the Personal Envoy of the Secretary-General, and to demonstrate a constructive spirit of cooperation in order to find mutually acceptable solutions within the settlement plan. Argentina believes that other alternatives to the settlement plan can be considered only once all the possibilities for agreement within it have been exhausted, ensuring that all parties consent to any consideration of other negotiating approaches.

The President (spoke in Chinese): I thank the representative of Argentina for his kind words addressed to me.

Mr. Mohammad Kamal (Malaysia): My delegation would like to underline its deep regret that the Council was unable to reach consensus on the resolution we have just adopted. It is unfortunate that the sponsors of the text did not share the view that adopting a technical resolution today to extend the mandate of the United Nations Mission for the Referendum in Western Sahara (MINURSO) would have sufficed while awaiting further discussion on a more substantive text that would better reflect the commitment of the Council to the settlement plan.

We wish to underline Malaysia's continued full support for the United Nations settlement plan, which we still believe to be a viable one, and hope that an early, durable and peaceful resolution of the dispute will be achievable in the not-too-distant future. In this regard, we join the call for the parties to the dispute to bring concrete solutions to the meeting to be held with the Secretary-General's Personal Envoy in order to resolve all outstanding settlement plan issues.

We voted in favour of the resolution, as we fully support the efforts of MINURSO to implement the United Nations settlement plan and agreements adopted by the parties to hold a free, fair and impartial referendum for the self-determination of the people of Western Sahara. We also support the Secretary-General's recommendation to extend the mandate of MINURSO until 31 July 2000, in the expectation that the parties will offer the Secretary-General's Personal Envoy specific and concrete proposals that can be agreed to in order to resolve the outstanding problems relating to the implementation of the United Nations settlement plan.

Mr. Minton (United States of America): We support the Secretary-General in his efforts, as embodied in the observations and recommendations in his report, to find a peaceful, sustainable solution to the long-standing dispute in Western Sahara, and urge other members of the Council to do the same.

We support the Secretary-General's proposed length of mandate and sought to hew as closely as possible to his language in explaining why this period is appropriate and necessary. Divorcing the length of the mandate renewal from the reasoning behind it would have made no sense. Like the Secretary-General, we support exerting every effort to overcome difficulties and promote implementation of the settlement plan. At the same time, we believe that the Secretary-General has been clear and frank in his last three reports over six months in telling the Council of the difficulties of bringing the process to resolution. Ignoring these realities will not fix them.

Therefore, we believe the Secretary-General and his Personal Envoy should have full leeway and authority to work with the parties as the Secretary-General and his Envoy see necessary in order to find ways that are acceptable to the parties — and I stress the need for such acceptance — to peacefully resolve their dispute over the Territory. Indeed, this breadth of mandate for the Personal Envoy is the same as was endorsed unanimously by the Council in 1997 and reaffirmed in February of this year, also unanimously.

We call on both parties to cooperate fully with the Secretary-General and his Personal Envoy in their efforts to find a way forward. For that reason we support this resolution and voted in favour of it.

In closing, allow me to echo the words of the Argentine Ambassador and thank you, Mr. President, for your leadership in steering the Council through what has been a very difficult discussion and vote. I think your leadership has greatly helped us see the issue clearly and will, as the Council remains seized of this issue, help form the basis on which we can find unity in the future. That is certainly our hope and our belief.

The President (spoke in Chinese): I thank the representative of the United States for his kind words addressed to me.

There are no further speakers on my list.

The Security Council has thus concluded the present stage of its consideration of the item on its agenda.

Statement by the President

The President (spoke in Chinese): As the President of the Council for this month, I would like to conclude with a few remarks.

In a few hours the month of May will come to an end. This afternoon's meeting is the last under my presidency for this month. This is the first time that I have served as President of the Council, and in terms of our work, this month has been busier and more intense than I had expected. I would like to take this opportunity to express my gratitude to my colleagues for their cooperation and support. I would also like to thank all members of the Secretariat, including the secretaries, interpreters and translators, for their help. Without their assiduous work, it would have been difficult for the Security Council to work efficiently and effectively during this month.

It is my sincere hope that Ambassador Levitte, next month's Council President, will have better luck than I have had.

The meeting rose at 4.55 p.m.